

City Council Meeting Notice & Agenda - RESULTS



Tuesday, November 19, 2013
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345

Special Meeting & Study Session

5:00 P.M. Convene

Roll Call

Consent Agenda

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Consent

1C. **Authorization to Hold an Executive Session - PASSED**

Discussion and possible action to authorize the holding of an Executive Session for the purpose of: (a) discussion and consultation with designated representatives of the public body pertaining to acquisition of property in and around Vistancia pursuant to A.R.S. §38-431.03.A.7; (b) discussion and consultation with legal counsel and designated representatives of the public body for legal advice pertaining to contract negotiations related to property in and around Vistancia pursuant to A.R.S. §38-431.03.A.7; and (c) discussion and consultation with legal counsel for legal advice pertaining to multiple transactions in the Vistancia Commercial Core, pursuant to A.R.S. §38-431.03.A.7.

Mayor
Bob Barrett

Acacia
District
Tony Rivero,
Vice Mayor

Ironwood
District
Bill Patena

Mesquite
District
Cathy Carlat

Palo Verde
District
Ron Aames

Pine
District
Carlo Leone

Willow
District
Jon Edwards

Study Session Agenda

Subject(s) for Discussion Only

2. Palm Canyon Planned Area Development Amendment - Static Billboards – **DISCUSSION ONLY – NO ACTION TAKEN**

Adjournment

Executive Session

**Convene immediately following Special City Council Meeting
Executive Room, City Council Chamber**

Under the provisions of A.R.S. § 38-431.02 there will be a **CLOSED EXECUTIVE SESSION**.

Executive Session Agenda

3. An Executive Session for the purpose of: (a) discussion and consultation with designated representatives of the public body pertaining to acquisition of property in and around Vistancia pursuant to A.R.S. §38-431.03.A.7; (b) discussion and consultation with legal counsel and designated representatives of the public body for legal advice pertaining to contract negotiations related to property in and around Vistancia pursuant to A.R.S. §38-431.03.A.7; and (c) discussion and consultation with legal counsel for legal advice pertaining to multiple transactions in the Vistancia Commerical Core pursuant to A.R.S. §38-431.03.A.7.

Adjournment

The above-named Public Body of the City of Peoria, Arizona will convene into Executive Session pursuant to A.R.S. § 38-431.03 for those items listed on the agenda. Only those persons who are:

- Members of the Public Body, or
- Officers of the City that are required to attend, or
- Those individuals whose presence is reasonably necessary for the Public Body to carry out its Executive Session responsibilities as determined by the City Attorney may be present during the Executive Session.

All persons who remain present during the Executive Session are reminded that the business conducted in Executive Session, including all discussion taking place herein, is confidential and may not be disclosed to any person, except as permitted by law.

Mayor
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Vice Mayor

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District
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Arizona Open Meeting Act:

Arizona law requires that persons who are present in an executive session receive instruction regarding the confidentiality requirements of the Arizona Open Meetings Act. Minutes and discussions made during executive sessions are confidential and may not be disclosed to any party, except:

- Members of the council,
- Appointees or employees who were subject of discussion under the personnel item subsection of the Open Meetings Act,
- County Attorney or Attorney General pursuant to an investigation of a violation of the Open Meetings Act, and
- Arizona Auditor General in connection with an audit authorized by law.

Any person who violates or who knowingly aids, agrees to aid, or attempts to aid another person in violating the Arizona Open Meetings Law may be punished by fine of up to \$500.00 per violation and/or by removal from public office.

Amendment #1 – November 18, 2013

Regular Meeting

7:00 P.M. Convene

Pledge of Allegiance

Roll Call

Final Call To Submit Speaker Request Forms

Presentation

4. 13th Annual Celebrate the Constitution Contest

Consent Agenda

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Consent

- 5C. **Disposition of Absence - PASSED**

Discussion and possible action to approve the absence of Councilmember Cathy Carlat from the Regular Meeting held at 7:00 p.m. on November 5, 2013.

6C. **Minutes - PASSED**

Discussion and possible action to approve the following minutes:

- September 17, 2013 Meeting Minutes
- October 1, 2013 Meeting Minutes

7C. **Appointments, Boards and Commissions - PASSED**

Discussion and possible action to approve the recommendations from the Council Subcommittee on Policy and Appointments pertaining to the following appointments and reappointments, and adopt the Resolutions as presented:

- Adopt **RES. 2013-181** appointing Brian Wiley, as a regular member, to the Municipal Development Authority, and
- Adopt **RES. 2013-182** appointing Gloria Migal, as an alternate member, to the Personnel Board.

8C. **Grant, Arizona Automobile Theft Authority, Portable License Plate Reader - PASSED**

Discussion and possible action to: (a) authorize the Peoria Police Department to accept a grant in the amount of \$15,795 from the Arizona Automobile Theft Authority to purchase a portable license plate reader; and (b) approve a budget amendment from the proposed Grant Contingency account to the Arizona Automobile Theft Authority fund in the amount of \$15,795.

9C. **Contract Amendment, Dibble Engineering, 91st Avenue Street and Drainage Improvements - PASSED**

Discussion and possible action to: (a) approve Contract Amendment No. 4 for Dibble Engineering to provide design engineering services for the 91st Avenue Street and Drainage Improvements; and (b) approve a budget amendment in the amount of \$32,940 from the General Fund Contingency account to the Water Operating Capital Water System account to provide appropriation for these additional project costs.

10C. **Intergovernmental Agreement Amendment, Arizona Department of Transportation, Proposed Multi-use Trail, Northern Avenue to Olive Avenue - PASSED**

Discussion and possible action to adopt **RES. 2013-183** approving Amendment One to the Intergovernmental Agreement with the State of Arizona Department of Transportation for the design, construction, and maintenance obligations relating to a proposed multi-use trail path from Northern Avenue to Olive Avenue located along the west bank of the New River and an underpass at the Northern Avenue Bridge at New River.

11C. **Budget Amendment, Finance Department, Utility Billing System, Fiscal Year 2014 - PASSED**

Discussion and possible action to approve a budget amendment in the amount of \$74,000 from the Water Fund contingency account, \$74,000 from the Wastewater Fund contingency

account and \$73,000 from the Residential Solid Waste Fund contingency account, totaling \$221,000, to the Northstar Upgrade Project-Other Professional Services account.

12C. **Settlement and Release, Hudson Insurance Company, Scotland Yard Neighborhood Park Performance Bond Claim - PASSED**

Discussion and possible action to approve the settlement and release with Hudson Insurance Company in the amount of \$240,000 as it relates to the surety bonding for Simmons Construction on the Scotland Yard Neighborhood Park construction project.

13C. **Investment Report, Quarter Ending September 30, 2013 - PASSED**

Discussion and possible action to approve the Investment Report for quarter ending September 30, 2013.

14C. **Maintenance Improvement District No. 1139, The Meadows 4B, 93rd Avenue and Deer Valley Road - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2013-179** intention and ordering the formation of proposed Maintenance Improvement District No. 1139, The Meadows 4B, located at 93rd Avenue and Deer Valley Road; and adopt **RES. 2013-180** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

15C. **Street Light Improvement District No. 1078, The Meadows Parcel 4B, 93rd Avenue and Deer Valley Road - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2013-177** intention and ordering the formation of proposed Street Light Improvement District No. 1078, The Meadows, located at 93rd Avenue and Deer Valley Road; and adopt **RES. 2013-178** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

16C. **Deeds and Easements, Various Locations - PASSED**

Discussion and possible action to adopt **RES. 2013-185** accepting Deeds and Easements for various Real Property interests acquired by the City.

17C. **Designate Roadways, Establish Right-of-Way, Various Locations - PASSED**

Discussion and possible action to adopt **RES. 2013-186** designating Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

18C. **Replat, Lot 1 Avenida Estates, 79th Avenue and Avenida del Sol - PASSED**

Discussion and possible action to approve the Replat of Lot 1 Avenida Estates, located at 79th Avenue and Avenida del Sol, subject to stipulations.

19C. **Replat, Vistancia North Village 1, Village 2, and Village 3 Master Final Plat, Vistancia Boulevard - PASSED**

Discussion and possible action to approve the Replat of Vistancia North Village 1, Village 2, and Village 3 located at Vistancia Boulevard north of the Central Arizona Project, subject to stipulations.

Regular Agenda

New Business

20R. **Palm Canyon Planned Area Development Amendment, Static Billboards - PASSED**

Discussion and possible action to adopt **RES. 2013-187** opposing the Becker Boards proposal seeking an amendment on the Palm Canyon site in Glendale for the purpose of erecting two static billboards.

21R. **PUBLIC HEARING - Liquor License, Grande Pizza, 8996 West Union Hills Road Suite #105 - PASSED**

PUBLIC HEARING: RE: (a) A New Restaurant Liquor License (Series 12) for Grande Pizza located at 8996 West Union Hills Road Suite #105, Sadik Ollomani, Applicant, LL#20009149; and (b) a location transfer for an On-Sale Beer and Wine Liquor License (Series 07) for Grande Pizza, located at 8996 West Union Hills Road Suite #105, Sadik Ollomani, Applicant, LL#20009149.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to recommend approval to the State Liquor Board for: (a) A New Restaurant Liquor License (Series 12) for Grande Pizza located at 8996 West Union Hills Road Suite #105, Sadik Ollomani, Applicant, LL#20009149; and (b) a location transfer for an On-Sale Beer and Wine Liquor License (Series 07) for Grande Pizza, located at 8996 West Union Hills Road Suite #105, Sadik Ollomani, Applicant, LL#20009149.

22R. **PUBLIC HEARING - Old Town Specific Area Plan Amendment, Land Use Map, Grand Manor, 88th Drive and Grand Avenue - PASSED**

PUBLIC HEARING: RE: A request for a minor amendment to the Old Town Specific Area Plan Land Use Map for approximately 17.9 acres of land located at the southwest corner of 88th Drive and Grand Avenue from Old Town Medium-High Density Residential (18-25 du/ac, target 20 du/ac) to Old Town Medium Density Residential (5-18 du/ac, target 12 du/ac).

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to concur with the Planning and Zoning Commission's recommendation to adopt **RES. 2013-184**, approving an amendment to the Old Town Specific Area Plan Land Use Map for approximately 17.9 acres located at the southwest corner of 88th Drive and Grand Avenue from Old Town Medium-High Density Residential (18-25 du/ac, target 20 du/ac) to Old Town Medium Density Residential (5-18 du/ac, target 12 du/ac).

23R. **PUBLIC HEARING - Major Planned Area Development Amendment, 88th Drive and Grand Avenue - PASSED**

PUBLIC HEARING: RE: A request for a major amendment to a Planned Area Development encompassing 17.9 acres located at the southwest corner of 88th Drive and Grand Avenue to decrease the allowable density and change the character of the development standards from multi-family condominiums to a detached single-family residential development.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to adopt **ORD. 2013-24** approving a major amendment to a Planned Area Development encompassing 17.9 acres located at the southwest corner of 88th Drive and Grand Avenue to decrease the allowable density and change the character of the development standards from multi-family condominiums to a detached single-family residential development.

24R. **PUBLIC HEARING - Rezoning, 107th Avenue and Happy Valley Parkway - PASSED**

PUBLIC HEARING: RE: A request to consider a major amendment to the Tierra del Rio Planned Area Development rezoning three parcels of land, totaling 71.2 acres, from Commercial Planned Area Development to Single-Family Residential Planned Area Development.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to adopt **ORD.2013-25** rezoning approximately 71.2 acres of land, located on the southwest and southeast corners of 107th Avenue and Happy Valley Parkway, from Commercial Planned Area Development to Single-Family Residential Planned Area Development as proposed under zoning case number Z04-34A.7.

25R. **Grant, Arizona Sports and Tourism Authority, Fiscal Year 2014 - PASSED**

Discussion and possible action to: (a) approve the Arizona Sports and Tourism Authority Fiscal Year 2014 Biennial Grant Funding agreement; and (b) approve a budget amendment in the amount of \$127,008 from the proposed Grant Contingency account to the Parks and Right-of-Way Improvement account.

Call To The Public (Non-Agenda Items)

If you wish to address the City Council, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The City Council is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from City Manager

26. **Council Calendar**

27. **Reports with Presentation**

A. Valley of the Sun United Way 2013 Campaign

28. **Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)**

A. 27th Annual Peoria's Oldtown Holiday Event

Reports from City Council
Reports from the Mayor

Adjournment

Vistancia Community Facilities
District Board Meeting

Convene immediately following Regular City Council Meeting

Roll Call
Final Call To Submit Speaker Request Forms

VCFD Consent Agenda

CONSENT AGENDA: All items listed with a “C” are considered to be routine or have been previously reviewed by the District Board, and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

29C. **Minutes - PASSED**

Discussion and possible action to approve the September 3, 2013 Special Meeting minutes.

30C. **Investment Report, Quarter Ending September 30, 2013 - PASSED**

Discussion and possible action to approve the Investment Report for the Quarter Ending September 30, 2013.

Call To The Public (Non-Agenda Items)

If you wish to address the Board, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The Board is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Adjournment

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Peoria, Arizona 85345 – Phone: (623) 773-7340 or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request. The City has a TDD line where accommodations may be requested at: (623) 773-7221.*

PUBLIC NOTICE:

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

City Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <http://www.peoriaaz.gov/content2.aspx?id=2151>.